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C O N F I D E N T I A L ACCRA 002189

SIPDIS

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TAGS: [KCRM](#) [KWMN](#) [SMIG](#) [PHUM](#) [GH](#)

SUBJECT: GHANA'S TIP LAW: COMMENTS FROM THE ATTORNEY-GENERAL

REF: A. STATE 225140

[1](#)B. ACCRA 2044

[1](#)C. ACCRA 2146

Classified By: PolOff Michelle Lee for reasons 1.5 (b) and (d)

SUMMARY

[1](#)1. (C) PolChief met on November 3 with Ghana's Attorney General and Minister for Justice, Papa Owuso-Ankomah, to raise concerns about progress on the draft bill of a trafficking-in-persons (TIP) law. Owuso-Ankomah was familiar with the pending legislation and its status, and said that if the ministries involved could not reach agreement on ownership of the bill by January, he would submit the bill directly to Parliament himself. However, he said that it was highly unlikely that the legislation would be passed by Parliament before April due to other, more immediate, demands that the newly-elected Parliament will have to address early in 2005. End summary.

PASSAGE OF TIP LAW BY APRIL UNLIKELY

[1](#)2. (C) Owuso-Ankomah was well informed about the proposed TIP law, noting that Cabinet had initially decided to delegate development of this legislation to the Ministry of Women's and Children's Affairs (MOWAC). After consultative workshops, the GoG realized that the TIP issue cuts across several ministries, including the Ministry of Interior, the Ministry of Manpower, Development, and Employment (MMDE), and MOWAC. For this reason, he said these ministries needed to reach consensus on the draft bill before it is submitted to Cabinet for approval. Owuso-Ankomah acknowledged that the MOWAC and MMDE were not in agreement over responsibility for this issue, saying he did not want to get involved out of &courtesy8 and &respect8 for a democratic bureaucratic process. However, he told PolChief emphatically that if the ministries do not reach consensus and move the bill to Cabinet by January 2005, he would take the matter out of their hands and submit the bill directly to Cabinet himself.

[1](#)3. (C) PolChief explained that if the bill is not passed by April, the USG would likely downgrade Ghana from Tier 1 to Tier 2. Owuso-Ankomah said he saw no way the TIP law would be passed in this timeframe, given what he saw as the realities of Ghanaian politics in the next six months. Even if the ruling New Patriotic Party (NPP) wins the election in December and even if he submits the bill to Cabinet directly himself in January, the Cabinet would be a lame duck body for several months. All of the newly-elected president's Cabinet appointments will require parliamentary approval. This approval of the Cabinet posts may not occur until the end of the first parliamentary session (January-March), he thought.

[1](#)4. (C) In addition to approving a Cabinet, the priorities of the new legislature will be receiving the new President's state of the nation speech, passing a budget, and forming parliamentary committees. Owuso-Ankomah did not expect Parliament to take up legislation until its second session (April-July). He said he would ensure that the TIP legislation would be sent to Parliament (after getting Cabinet approval) &as one of our priorities for next session8 but because of &timing and priorities8 it would not likely be taken up until the April-July period. PolChief noted that the Department would like raise the TIP issue with Ambassador Poku in Washington.

COMMENT

[1](#)5. (C) Owuso-Ankomah was uncharacteristically open and friendly, making time for PolChief in the midst of his own parliamentary campaign and blocking all outside calls during our meeting. Despite the Minister's pessimism on the TIP law passing before April, we will continue to raise the TIP legislation issue with the GOG and in Parliament, especially with the new government after the election. His resolve to break the deadlock between the line ministries if necessary was welcome news and should help position this legislation - which does not appear to be controversial within Ghana - for

passage within the next year. End comment.
YATES